

LAWYERS



Davis Wright Tremaine LLP

ANCHORAGE BELLEVUE LOS ANGELES NEW YORK PORTLAND SAN FRANCISCO SEATTLE SHANGHAI WASHINGTON, D.C.

EDWARD J. DAVIS
edddavis@dwt.com1633 BROADWAY
NEW YORK, NY 10019-6708TEL (212) 489-8230
FAX (212) 489-8340
www.dwt.com

MEMO ENDORSED

May 8, 2008

By Facsimile (212-805-6326)Hon. Colleen McMahon
United States Courthouse
500 Pearl Street, Room 640
New York, NY 10007Re: Atrium Group de Ediciones y Publicaciones, S.L., et al.
v. Harry N. Abrams, Inc., 08 Civ. 1569 (CM) (KNF)

No need
Colleen McMahon
5/9/08

Dear Judge McMahon:

We write as counsel for defendant Harry N. Abrams, Inc., on behalf of all parties in the action referenced above, to confirm that the Court wishes to see the parties for an initial pre-trial conference on May 9 and, if so, to learn the time the Court would like the parties to appear.

The parties' uncertainty arises from their adjournment of the original date for a conference. In its scheduling order dated February 22, 2008, the Court set an initial pre-trial conference for April 11, 2008 at 11:15 a.m. That conference was adjourned to May 9 by "so-ordered" stipulation. The original scheduling order stated that the initial pre-trial conference would not be necessary if a conforming case management plan were timely submitted, unless a motion were filed prior to the conference date, but that in the event of a motion the conference could be adjourned if the motion were not fully briefed. The parties' stipulation extended the time for submission of the case management plan to April 22 but did not set a time on May 9 for the adjourned conference or address the need for a conference in the event of a motion. The parties submitted a case management plan on April 22, and the Court approved it. Defendant has filed a motion to dismiss, which will be fully briefed and submitted by the end of the day Thursday, May 8.

Should the Court wish to proceed with a pre-trial conference on May 9, all parties are available to appear at 11:15 a.m., as provided in the original scheduling order for April 11, or at another date or time that is convenient for the Court.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/9/08

Hon. Colleen McMahon
May 8, 2008
Page 2



Thank you for your attention to this matter.

Respectfully,

A handwritten signature in cursive script, appearing to read 'Edward J. Davis'.

Edward J. Davis (ED 1266)
Counsel for Defendant

cc: Zeynel Karcioğlu, Esq. (via fax)
Barry E. Janay, Esq. (via fax)
(Counsel for Plaintiffs)